

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

AUG 29 2016

JULIA C. DUDLEY, CLERK
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JUSTIN LEE BANAS,) Civil Action No. 7:16-cv-00350
Plaintiff,)
v.) MEMORANDUM OPINION
MIDDLE RIVER REGIONAL JAIL,) By: Michael F. Urbanski
Defendant(s).) United States District Judge

Justin Lee Banas, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983. By Order entered July 27, 2016, the court directed plaintiff to submit within 20 days from the date of the Order a signed consent to withholding of fees form in order to complete the application to proceed in forma pauperis as well as the executed verified statement form. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff. 

ENTER: This 27 day of August, 2016.

United States District Judge